

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARLOS DANIEL RUELAS,

Defendant.

8:23–CR–242

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court on the Government’s Motion for Preliminary Order of Forfeiture. [Filing 65](#). Having reviewed the record in this case and being duly advised in the premises, the Court finds as follows:

1. On June 20, 2024, Defendant Carlos Daniel Ruelas and the Government entered into a plea agreement which provided that the Defendant would plead guilty to Count II of the Indictment. [Filing 67](#). Count II charges possession with intent to distribute 5 kilograms or more of a mixture or substance containing cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1). [Filing 1 at 1](#).

2. The Defendant further agreed to admit to the Forfeiture Allegation in the Indictment. [Filing 67 at 1](#). The Forfeiture Allegation provides that the property to be forfeited includes, “\$68,460.00 in United States currency seized from 1717 South 10th Street, Omaha, Nebraska, on or about July 31, 2023.” [Filing 1 at 1](#). The Forfeiture Allegation states that this currency constituted or was derived from proceeds obtained, directly or indirectly, as the result of the offense alleged in Count II of the Indictment, or to facilitate the commission of that offense. [Filing 1 at 2](#).

3. On June 21, 2024, the Defendant appeared before a United States Magistrate Judge and entered his plea of guilty to Count II of the Indictment. [Filing 69](#). During this hearing, the Defendant admitted to the Forfeiture Allegation as well. [Filing 69 at 6](#), 7–8, 17. After conducting a *de novo* review of the matter, the Court accepted the Defendant’s guilty plea.

4. By virtue of the Defendant’s plea of guilty and his admissions at the hearing before the Magistrate Judge on June 21, 2024, the Defendant has forfeited his interest in the “\$68,460.00 in United States currency seized from 1717 South 10th Street, Omaha, Nebraska, on or about July 31, 2023.” [Filing 1 at 2](#). This property is forfeited to the Government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1). The \$68,460.00 in United States currency is to be held by the Government in its secure custody and control.

5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government’s intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in any of the subject property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner’s interest in the Property, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner’s right, title, or interest in the Property and any additional facts supporting the Petitioner’s claim and the relief sought.

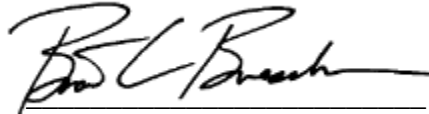
7. The Government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the Property as a substitute for published notice as to those persons so notified.

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed. Accordingly,

IT IS ORDERED: The Government's Motion for Preliminary Order of Forfeiture, [Filing 65](#), is granted.

Dated this 15th day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge